APPENDIX.

[Vide answer to starred question No. 91 asked by Sri P. G. Manickam at the meeting of the Legislative Assembly held on 12th July 1957, page 295 supra.]

Steps taken to Eradicate Corruption in Government service.

An Act known as the Prevention of Corruption Act of 1947 has been enacted by the Government of India to secure more effective prevention of bribery and corruption than were already provided for in the Indian Penal Code. According to this Act, a public servant proved to have committed an offence of criminal misconduct in the discharge of his duty is punishable with imprisonment for a term which may extend to seven years, with or without fine.

2. In 1947, a Committee called the Corruption Enquiry Committee was constituted by Government under the Chairmanship of the Hon'ble Justice P. V. Rajamannar, Chief Justice, High Court, Madras, to consider ways and means to root out corruption in Public Services. Most of the recommendations of the committee were accepted and necessary orders issued. The Tribunal for Disciplinary Proceedings which enquires into cases of corruption relating to officers drawing a pay of Rs. 150 and above, was constituted mainly on the recommendation of that Committee. Some of the other recommendations of that Committee which were accepted and on which orders were issued were that—

(1) Supervision and inspection of the work of subordinate officers by the superior officers should be done frequently, and occasionally without previous notice. Superior officers during their visits to the offices of their subordinates should carefully scrutinise the judicial and executive orders issued by the latter anl if those orders appeared to them to have been passed on improper grounds, they should go into the matter specifically and take necessary action.

(2) Interference by members of Political parties with the administration by responsible Government servants was deprecated.

(3) Government servants were strictly forbidden to obtain commodities through their subordinates in the course of their tours and the practice of obtaining free supplies wherever it existed was deprecated and severely dealt with.

3. The following further steps have also been taken to combat corruption in the State :—

(i) Prior to the formation of the 'X', Branch, C.I.D. in 1946, cases of corruption on the part of Government servants were being investigated by departmental authorities who either acted *suo motu* on their own knowledge or on receipt of complaints or under directions from the Government. As this was found to be

12th July 1957]

not quite satisfactory because the enquiring officers had not sufficient time or detachment to deal with it, a special machinery known as 'X' Branch, C.I.D. was set up. The 'X' Branch is under the administrative control of the Inspector-General of Police and the supervision of the Deputy Inspector-General of Police, Railways and C.I.D. Though the scope of the work of the 'X' Branch is confined to Provincial Government servants, the intention is that there should be no limitation in regard to the rank and appointments of officials and of the position of non-officials and local board officers about whom enquiries have to be made. On receipt of any complaint, the Government decide whether there is a *prima facie* case for investigation. Even anonymous petitions alleging corruption are taken into consideration if they contain specific allegations and if there is a *prima facie* case. If there is a *prima facie* case, the petition is forwarded to the 'X' Branch, C.I.D. for enquiry and report. On receipt of the report the Government decide whether departmental action would be sufficient or whether criminal prosecution should be undertaken. If departmental action is considered sufficient then the case is entrusted to the Tribunal for Disciplinary Proceedings if it relates to a Government servant drawing a salary of Rs. 150 per mensem and above: otherwise the connected records are passed on to the head of the department for taking necessary departmental action.

(ii) The Government have also ordered that due publicity should be given to cases of corruption which end in punishments. Monthly Press Notes are being issued for this purpose. Further quarterly lists of non-permanent Government servants who are discharged from service for suspected or proved corruption are also prepared and communicated to all Heads of Departments with a view to guard against their re-employment under the Government without knowing their antecedents.

4. The following administrative remedies have also been prescribed :—

(i) The greatest care should be taken in selecting officers entrusted with the grant of permits and the rules for granting permits should be drawn with the greatest precision.

(ii) The Government servants are also required to submit returns from time to time regarding movable as well as immovable properties acquired by them.

(iii) Departmental instructions are also issued to all concerned whenever abnormal delay in the disposal of disciplinary cases is noticed and also severe action is taken against the persons who indulge in dilatoriness in spite of these repeated instructions.

(iv) In launching a drive against corruption among public servants, the Government have been influenced by the view that no officer who has got a bad reputation and abundant suspicion against him has any right to be kept in service, even though guilt is not established against him by proof as in a criminal case. The fact that an officer's reputation is notoriously bad affords just

ground for the Government to refuse to continue to be represented or served by such an officer in any department. Though no single act of corruption may be judicially proved against such an officer, cumulative evidence that he was suspected in a number of instances to be corrupt is not only relevant but may well constitute as good a ground for his dismissal as direct evidence of any one case. The fullest protection has not only been assured, but if necessary formally given to all witnesses, whose examination is required for departmental enquiry.

(v) The Government have also impressed on the members of the public that it is their duty to report at once to superior authorities the conduct of any Government servant, who demands a bribe for any action he should take as part of his legitimate official functions. It should also be the duty of every Government servant to report to his superior officer, the conduct of any non-official approaching him for bribing him to gain some favour, for example, grant of licence, etc.

5. The measures taken to eradicate corruption enumerated above have been found to be satisfactory and to have the desired effect.

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